

## **Exhibit B**

**FILED: KINGS COUNTY CLERK 10/28/2014 04:45 PM**

NYSCEF DOC. NO. 1

INDEX NO. 510080/2014

RECEIVED NYSCEF: 10/28/2014

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

-----X  
TRI-STATE SURGICAL SUPPLY & EQUIPMENT,  
LTD.,

*Plaintiff,*

v.

LIBERTY MUTUAL FIRE INSURANCE COMPANY,

*Defendant.*  
-----X

Date Filed:  
Index No.:

**SUMMONS**

Plaintiff designates KINGS County  
as the place of trial.

Basis of Venue: Plaintiff's Principal  
Office

**TO THE ABOVE NAMED DEFENDANT(S):**

**YOU ARE HEREBY SUMMONED** to answer the complaint in this action and to serve a copy of your answer or, if the complaint is not served with this summons, to serve a notice of appearance, on the plaintiff's attorneys within twenty (20) days after the service of this summons, exclusive of the date of service (or within thirty (30) days after service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

**NOTICE OF COMMENCEMENT OF ACTION SUBJECT TO MANDATORY ELECTRONIC FILING**

**PLEASE TAKE NOTICE** that the matter captioned above, which has been commenced by filing of the accompanying documents with the County Clerk, is subject to mandatory electronic filing pursuant to Section 202.5-bb of the Uniform Rules for the Trial Courts. This notice is being served as required by Subdivision (b) (13) of that Section.

The New York State Courts Electronic Filing System ("NYSCEF") is designed for the electronic filing of documents with the County Clerk and the court and for the electronic service of those documents, court documents, and court notices upon counsel and self-represented parties. Counsel and/or parties who do not notify the court of a claimed exemption (see below) as required by Section 202.5-bb (e) must immediately record their representation within the e-filed matter on the consent page in NYSCEF. Failure to do so may result in an inability to receive electronic notice of document filings.

Exemptions from mandatory e-filing are limited to: (1) attorneys who certify in good faith that they lack the computer equipment and (along with all employees) the requisite knowledge to comply; and (2) self-represented parties who choose not to participate in e-filing. For additional information about electronic filing, including access to section 202.5-bb, consult the NYSCEF website at [www.nycourts.gov/efile](http://www.nycourts.gov/efile) or contact the NYSCEF Resource Center at 646-386-3033 or [efile@courts.state.ny.us](mailto:efile@courts.state.ny.us).

Dated: Kew Gardens, New York  
October 28, 2014

LIPSIUS-BENHAIM LAW LLP  
Attorneys for plaintiffs

By: \_\_\_\_\_

Ira S. Lipsius, Esq.

Alexander J. Sperber, Esq.

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212-981-8440

Defendant's address:  
Liberty Mutual Fire Insurance Company  
175 Berkeley Street  
Boston, MA 02116